

September 16, 2016

REGULAR MEETING AGENDA
ILLINOIS CIVIL SERVICE COMMISSION
September 16, 2016

- I. CALL TO ORDER THE REGULAR OPEN MEETING AT 11:00 A.M. AT 160 NORTH LASALLE STREET, SUITE S-901, CHICAGO, ILLINOIS

- II. PRESENT

- III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD AUGUST 22, 2016

WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD AUGUST 22, 2016?

- IV. PUBLIC COMMENT IN ACCORDANCE WITH THE OPEN MEETINGS ACT

MEMBERS OF THE PUBLIC ARE OFFERED AN OPPORTUNITY TO ADDRESS MEMBERS OF THE COMMISSION IN ACCORDANCE WITH THE OPEN MEETINGS ACT AND RULES OF THE CIVIL SERVICE COMMISSION.

V. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE

A. Report on Exempt Positions from Central Management Services

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Aging.....	149.....	18
Agriculture	365.....	20
Arts Council	10.....	2
Capitol Development Board	43.....	0
Central Management Services	1,374.....	106
Children and Family Services.....	2,561.....	54
Civil Service Commission.....	3.....	0
Commerce & Economic Opportunity.....	297.....	69
Commerce Commission	60.....	0
Corrections	11,874.....	100
Criminal Justice Authority.....	51.....	7
Deaf and Hard of Hearing Comm.....	5.....	1
Developmental Disabilities Council	8.....	1
Emergency Management Agency.....	69.....	6
Employment Security	1,136.....	31
Environmental Protection Agency.....	691.....	17
Financial & Professional Regulation	418.....	49
Gaming Board	169.....	6
Guardianship and Advocacy	94.....	8
Healthcare and Family Services	1,935.....	26
Historic Preservation Agency.....	133.....	17
Human Rights Commission.....	14.....	2
Human Rights Department.....	125.....	9
Human Services.....	13,068.....	77
Illinois Torture Inquiry Relief Commission	2.....	1
Independent Tax Tribunal	1.....	0
Innovation and Technology	2.....	11
Insurance	223.....	15
Investment Board	3.....	2
Juvenile Justice.....	1,069.....	27
Labor	84.....	11
Labor Relations Board Educational.....	11.....	3
Labor Relations Board State.....	15.....	2
Law Enforcement Training & Standards Bd.	20.....	2
Lottery	144.....	9
Military Affairs.....	131.....	3
Natural Resources.....	1,252.....	32
Pollution Control Board	20.....	2
Prisoner Review Board.....	21.....	1
Property Tax Appeal Board.....	31.....	1
Public Health.....	1,095.....	39
Racing Board.....	2.....	1
Revenue.....	1,530.....	52
State Fire Marshal	118.....	12
State Police.....	1,023.....	10
State Police Merit Board	7.....	2
State Retirement Systems	101.....	3
Transportation	2,157.....	0
Veterans' Affairs	1,328.....	10
Workers' Compensation Commission.....	131.....	11
TOTALS.....	45,173.....	888

B. Governing Rule – Section 1.142 Jurisdiction B Exemptions

- a) The Civil Service Commission shall exercise its judgment when determining whether a position qualifies for exemption from Jurisdiction B under Section 4d(3) of the Personnel Code. The Commission will consider any or all of the following factors inherent in the position and any other factors deemed relevant to the request for exemption:
 - 1) The amount and scope of principal policy making authority;
 - 2) The amount and scope of principal policy administering authority;
 - 3) The amount of independent authority to represent the agency, board or commission to individuals, legislators, organizations or other agencies relative to programmatic responsibilities;
 - 4) The capability to bind the agency, board or commission to a course of action;
 - 5) The nature of the program for which the position has principal policy responsibility;
 - 6) The placement of the position on the organizational chart of the agency, board or commission;
 - 7) The mission, size and geographical scope of the organizational entity or program within the agency, board or commission to which the position is allocated or detailed.
- b) The Commission may, upon its own action after 30 days notice to the Director of Central Management Services or upon the recommendation of the Director of the Department of Central Management Services, rescind the exemption of any position that no longer meets the requirements for exemption set forth in subsection (a). However, rescission of an exemption shall be approved after the Commission has determined that an adequate level of managerial control exists in exempt status that will insure responsive and accountable administrative control of the programs of the agency, board or commission.
- c) For all positions currently exempt by action of the Commission, the Director of Central Management Services shall inform the Commission promptly in writing of all changes in essential functions, reporting structure, working title, work location, position title, position number or specialized knowledge, skills, abilities, licensure or certification.
- d) Prior to granting an exemption from Jurisdiction B under Section 4d(3) of the Personnel Code, the Commission will notify the incumbent of the position, if any, of its proposed action. The incumbent may appear at the Commission meeting at which action is to be taken and present objections to the exemption request.

(Source: Amended at 34 Ill. Reg. 3485, effective March 3, 2010)

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C. Illinois Department of Juvenile Justice – proposed exemption (continued from August 22, 2016 meeting)

Position Number	37015-27-00-000-10-01
Functional Title	Equal Employment Opportunity Officer/Affirmative Action Officer
Incumbent	Vacant
Supervisor	Director
Location	Sangamon County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

D1. Illinois Department of Central Management Services – proposed exemption

Position Number	40070-37-00-200-00-01
Functional Title	Deputy Director, Office of Operational Excellence
Incumbent	Vacant
Supervisor	Director
Location	Sangamon County

D2. Illinois Department of Central Management Services – proposed exemption

Position Number	40070-37-00-200-10-01
Functional Title	Assistant Deputy Director, Office of Operational Excellence
Incumbent	Vacant
Supervisor	Deputy Director, Office of Operational Excellence who reports to the Director
Location	Sangamon County

CMS Recommendation: “These positions do meet the reporting criteria of the Commission Rules and considering the similarities of the requested positions with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

WILL THE COMMISSION GRANT THE REQUEST FOR EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITIONS?

C: Equal Employment Opportunity Officer/Affirmative Action Officer (DJJ)

D1: Deputy Director, Office of Operational Excellence (CMS)

D2: Assistant Deputy Director, Office of Operational Excellence (CMS)

VI. CLASS SPECIFICATIONS

A. Governing Rule – Section 1.45 Classification Plan

The Commission will review the class specifications requiring Commission approval under the Classification Plan and will approve those that meet the requirements of the Personnel Code and Personnel Rules and conform to the following accepted principles of position classification:

- a) The specifications are descriptive of the work being done or that will be done;
- b) Identifiable differentials are set forth among classes that are sufficiently significant to permit the assignment of individual positions to the appropriate class;
- c) Reasonable career promotional opportunities are provided;
- d) The specifications provide a reasonable and valid basis for selection screening by merit examinations;
- e) All requirements of the positions are consistent with classes similar in difficulty, complexity and nature of work.

B. None submitted

WILL THE COMMISSION DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF BUT NOT INCLUDED IN THIS AGENDA TO ALLOW ADEQUATE STUDY?

VII. PERSONNEL RULES

A. Civil Service Commission Governing Rule – Section 1.310 Personnel Rules

The Commission has power to disapprove new rules or amendments to existing rules submitted by the Director of Central Management Services. Such proposed new rules or amendments of existing rules submitted to the Commission shall be accompanied by a report of proceedings attending the prior public hearing required by law with respect to them. If the Commission does not disapprove new rules or any amendment to existing rules within 30 days following the receipt from the Director of Central Management Services, the new rules or amendments have the force and effect of law after filing by the Director with the Secretary of State.

B. None submitted

WILL THE COMMISSION DISAPPROVE ANY AMENDMENTS TO PERSONNEL RULES RECEIVED BY THE COMMISSION STAFF BUT NOT INCLUDED IN THIS AGENDA TO ALLOW ADEQUATE STUDY?

September 16, 2016

VIII. MOTION TO CLOSE A PORTION OF THE MEETING

PURSUANT TO SUBSECTIONS 2(c)(1), 2(c)(4), AND 2(c)(11) OF THE OPEN MEETINGS ACT, WILL THE COMMISSION CLOSE A PORTION OF THE MEETING TO CONSIDER APPEALS FILED WITH THE COMMISSION, LITIGATION, AND/OR SPECIFIED EMPLOYMENT MATTERS?

IX. RECONVENE THE REGULAR OPEN MEETING

X. NON-MERIT APPOINTMENT REPORT

The Personnel Code permits non-merit appointments for a limited period of time, i.e., emergency appointments shall not exceed 60 days and shall not be renewed, and positions shall not be filled on a temporary or provisional basis for more than six months out of any twelve-month period. Consecutive non-merit appointments are not violative of the Code; however, they do present a possible evasion of merit principles and should be monitored. Set forth below is the number of consecutive non-merit appointments made by each department. These statistics are from the Department of Central Management Services' Consecutive Non-Merit Appointment Reports.

Agency	7/31/16	8/31/16	8/31/15
Agriculture	3	2	6
Arts Council	0	0	1
Central Management Services	6	3	4
Children and Family Services	1	1	2
Emergency Management Agency	1	1	0
Employment Security	2	0	1
Financial and Professional Regulation	1	1	0
Healthcare and Family Services	5	3	5
Historic Preservation Agency	1	1	3
Human Rights Department	1	1	0
Human Services	9	8	7
Insurance	1	1	1
Natural Resources	28	21	43
Public Health	0	0	1
Revenue	0	0	6
State Fire Marshal	1	1	0
State Police	0	1	0
State Retirement Systems	2	1	5
Transportation	0	1	2
Workers' Compensation Commission	3	3	1
Totals	65	50	88

XI. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEALS

DA-48-16

Employee	Vanda Bagot	Appeal Date	5/02/16
Agency	Human Services	Decision Date	9/02/16
Appeal Type	Discharge	Proposal for Decision	Discharge upheld.
ALJ	Andrew Barris		

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

DA-53-16

Employee	Troy D. Jones	Appeal Date	5/16/16
Agency	Transportation	Decision Date	9/01/16
Appeal Type	Discharge	Proposal for Decision	Discharge upheld.
ALJ	Andrew Barris		

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

XII. APPEALS TERMINATED WITHOUT DECISION ON THE MERITS

DA-3-17

Employee	Elisabeth Damia	Appeal Date	7/13/16
Agency	Children & Family Services	Decision Date	8/15/16
Appeal Type	Discharge	Proposal for Decision	Dismissed; withdrawn.
ALJ	Andrew Barris		

DA-8-17

Employee	Thomas A. Frescura	Appeal Date	8/02/16
Agency	Revenue	Decision Date	8/30/16
Appeal Type	Discharge	Proposal for Decision	Dismissed; withdrawn
ALJ	Andrew Barris		

DA-11-17

Employee	Kevin M. Orłowski	Appeal Date	8/24/16
Agency	Juvenile Justice	Decision Date	8/30/16
Appeal Type	Discharge	Proposal for Decision	Dismissed; withdrawn.
ALJ	Andrew Barris		

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSALS FOR DECISION IN THE ABOVE MATTERS?

XIII. FY 2016 ANNUAL REPORT

WILL THE COMMISSION APPROVE THE FISCAL YEAR 2016 ANNUAL REPORT?

XIV. MEETING SCHEDULE FOR 2017

WILL THE COMMISSION APPROVE THE FOLLOWING AS ITS MEETING SCHEDULE FOR 2017?

January 20, 2017	Chicago	July 21, 2017	Chicago
February 17, 2017	Chicago	August 18, 2017	Springfield
March 17, 2017	Chicago	September 15, 2017	Chicago
April 21, 2017	Springfield	October 20, 2017	Chicago
May 19, 2017	Chicago	November 17, 2017	Springfield
June 16, 2017	Chicago	December 15, 2017	Chicago

Chicago meetings commence at 11:00 a.m. Springfield meetings commence at 1:30 p.m.

XV. STAFF REPORT

XVI. ANNOUNCEMENT OF NEXT REGULAR OPEN MEETING

The next regular open meeting is to be held at 11:00 a.m. on Friday, October 21, 2016 at the Commission's Chicago office.

XVII. MOTION TO ADJOURN